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EXAMINER	
FARROKH, HASHEM	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/635,075	DUMONT, CHARLES E.	
	Examiner	Art Unit	
	Hashem Farrokh	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18,20-27 and 29-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18, 20-27, and 29-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

This Office Action is in response to the communication(s) filed on 4/23/07. There are a total of 31 claims pending in applications; claims 1 and 7 have been amended; claims 19 and 28 have been canceled; no new claims have been added.

INFORMATION CONCERNING CLAIMS:

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> *The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.*

Claims 1-18, 20-27, and 29-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1. *In regard claims 1-18, 20-27, and 29-33 the claims preamble recites* "...validating remotely cached content..." *the body of claims only includes the* steps of determining, generating, returning... *but not actual validating of the cache content that is recited in the preamble. In addition, the claims are incomplete (e.g., the claims do not show what steps would be taken, if it is determined that cache content is invalid).*

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

Claims 1-18, 20-27, and 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0026563 A1 to Chamberlain et al. (hereinafter Chamberlain) in view of U.S. Patent Publication No. 2003/0105838 A1 to Presley and U.S. Patent Publication No. 2003/0182357 A1 to Chess et al. (hereinafter Chess).

2. In regard to claim 1 Chamberlain teaches:

"A method **(e.g., see paragraph 35 in page 3; Fig. 5)** for validating **(e.g., see paragraph 51 in page 5; Validity Analyzer 315 in Fig. 4)** remotely cached dynamic content web pages **(e.g., see paragraph 16 in page 2)**, comprising: determining a cacheability of a response to a client request **(e.g., see paragraph 16 in page 2; paragraph 50 in page 4 to 5; element 309 in Fig. 4)**, sources of dynamic content in the response and a set of dependencies on the sources;" **(e.g., see paragraph 14 in page 2; paragraph 48 in page 4).**

"generating an entity tag based on the cacheability **(e.g., see paragraph 50 in page 4 to 5; paragraph 53 in page 5)**, the sources and the set of dependencies, wherein the entity tag ...includes cacheability flag..." **(e.g., see paragraph 14 in page 2; paragraph 48 in page 4; paragraphs 127-128 in page 7).** *Chamberlain teaches that the parts or sources have associated attributes including the modified date. The cacheability analyzer examines the attribute composite and creates or generates caching strategy flags which are used by the system for caching. The strategy flags are generated based on cacheability and performs the function of entity tag recited in the claim.*

"receiving a subsequent request from the client with the entity tag;" **(e.g., see paragraph 48 in page 4; claim 1 in page 9).** *For example the URL received from client include commands that identifies sources or associated parts. Parts have associated dates and other attributes.*

"and analyzing the entity tag by comparing time values within the entity tag associated with the set of dependencies to corresponding time values for the sources to determine if the cached response is valid, wherein the comparison is made without rebuilding the response." **(e.g., see paragraph 10 in page 1; paragraph 140 in page 8; claim 4 in page 9).** *However, Chamberlain does not expressly teach:* "wherein the entity tag identifies the sources ... and time values associated with the set of dependencies; returning and caching the response and the entity tag on the client;"

Presley teaches: "wherein the entity tag identifies the sources ... and time values associated with the set of dependencies;" **(e.g., see paragraph 50 in page 4; paragraph 63 in page 4 to page 5)** *for generating XML doclet tags and attributes to allow resources (e.g., dependencies) be defined.*

Chess teaches: "returning and caching the response and the entity tag on the client;" **(e.g., see paragraphs 10-11 in page 1)** *for server to send respond, including cookies and content, to be cached at the client.*

Disclosures by Chamberlain, Presley, and Chess are analogous because all references related to network or web caching.

At the time of invention it would have been obvious to a person of ordinary skill in art to modify the system and method of caching web pages with dynamic content taught by Chamberlain to include the doclet XML tags taught by Presley; furthermore, to include the content-side caching of pages with changing content disclosed by Chess.
The motivation for using doclet XML tags as taught by paragraph 11, page 1 of Presley is to provide a declarative enterprise-wide configuration validation and management; furthermore, the motivation for using content-side caching of pages as taught by paragraph 1, page 1 of Chess is to improve the performance of internet-based or web application.

Therefore, it would have been obvious to combine teachings of Chess with Presley and Chamberlain to obtain the invention as specified in the claim.

3. *In regard to claims 2 and 11 Chess teaches:*

"sending a status code to the client if the cached response is valid;" **(e.g., see paragraph 36 in page 3).**

"and displaying the cached response." **(e.g., see paragraphs 51-52 in page 4).** *The motivation for combining the teaching of Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.*

4. *In regard to claims 3 and 12 Chamberlain teaches:*

"further comprising generating a new response if the cached response is not valid;" **(e.g., see paragraph 16 in page 2 to 3)** "determining a cacheability of the new

response, sources of dynamic content in the new response and a set of dependencies on the sources of the dynamic content in the new response;" **(e.g., see paragraph 16 in page 2 to 3; paragraph 48 in page 4).**

"generating a new entity tag based on the cacheability of the new response **(e.g., see paragraph 50 in page 4 to 5)**, the sources of dynamic content in the new response and the set of dependencies on the sources of the dynamic content in the new response;" **(e.g., see paragraph 48 in page 4).** *However, Chamberlain does not expressly teach:* "returning and caching the new response and the new entity tag on the client."

Chess teaches: "returning and caching the new response and the new entity tag on the client." **(e.g., see paragraphs 10-11 in page 1)** *for server to send respond, including cookies and content, to be cached at the client. The motivation for combining the teaching of Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.*

5. In regard to claims 4 and 13 Chamberlain teaches:

"wherein the analyzing **(e.g., Cacheability analyzer 309 in Fig. 4)** step comprises:"

"decoding the entity tag;" **(e.g., see paragraph 41 in page 4; Parser 303 in Fig. 4).** *For example Chamberlain teaches that the parser breaks down the URL to different parts, which inherently means decoding the entity tag (e.g., URL includes entity tag).*

"identifying the sources;" **(e.g., see abstract; paragraph 48 in page 4).**

"determining if the cached response is valid **(e.g., see paragraph 51 in page 5)**, wherein the cached response is valid if the time values within the entity tag match the corresponding time values for the sources." **(e.g., see abstract; paragraph 140 in page 8).**

6. *In regard to claims 5, 15, 23, and 31 Chamberlain teaches:*

"wherein the set of dependencies comprises at least one of a database design, database data, and document data." **(e.g., see paragraph 48 in page 4).** *For example dependency parts include database design.*

7. *In regard to claim 6 Chess further teaches:* "encoding the entity tag;" **(e.g., see paragraph 33 in page 1).**

"and returning the entity tag to the client in a header accompanying the response." **(e.g., see paragraphs 38-40 in page 3)** *for including the entity information or tag in response header. The motivation for combining the teaching of Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.*

8. *In regard to claim 7 Chamberlain teaches:*

"wherein the determining step comprises creating a set of cacheability flags based on the set of dependencies **(e.g., see paragraph 48 in page 4; paragraph 53 in page 5)**, and wherein the entity tag includes the cacheability flags." **(e.g., see paragraph 114 in page 6).** *For example the cacheability strategy flags are generated based on attributes.*

The attributes associated with source(s) identified in the URL request and dependencies (e.g., parts).

9. In regard to claim 8 Chamberlain teaches:

"wherein the entity tag further includes a database design time value and a data time value." **(e.g., see paragraph 48 in page 4).** *However, neither Chamberlain nor Presley expressly teaches that entity tag includes:* "a version number".

Chess teaches: that the entity tag or cookie includes: "a version number" **(e.g., see abstract; e.g., see paragraph 10 in page 1).** *The motivation for combining the teaching of Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.*

10. In regard to claims 9, 16, 25, and 33 Chamberlain teaches:

"wherein the entity tag further comprises at least one of a document identifier and a user name." **(e.g., see abstract; paragraph 48 in page 4).** *For example URL includes commands that identify documents and also user's identity that inherently includes user's name.*

11. In regard to claim 10 Chamberlain teaches:

"A method **(e.g., see paragraph 35 in page 3; Fig. 5)** for validating **(e.g., see paragraph 51 in page 5; Validity Analyzer 315 in Fig. 4)** remotely cached dynamic content web pages **(e.g., see paragraph 16 in page 2)**, comprising: "determining a cacheability of a response to a client request for a dynamic content web page **(e.g., see**

paragraph 16 in page 2; paragraph 50 in page 4 to 5; element 309 in Fig. 4), sources of dynamic content in the response and a set of dependencies on the sources;" **(e.g., see paragraph 14 in page 2; paragraph 48 in page 4).**

"generating an entity tag **(e.g., see paragraph 50 in page 4 to 5; paragraph 53 in page 5,** wherein the entity tag...includes chacheability flag..." **(e.g., see paragraph 14 in page 2; paragraph 48 in page 4; paragraphs 127-128 in page 7).** *Chamberlain teaches that the parts have associated attributes including the modified date. The cacheability analyzer examines the attribute composite and creates or generates caching strategy flags which are used by the system for caching. The strategy flags are generated based on cacheability and performs the function of entity tag recited in the claim.*

"receiving a subsequent request for the dynamic content web page from the client with the entity tag;" **(e.g., see paragraph 48 in page 4; claim 1 in page 9).**

"and comparing the time values in the entity tag with corresponding time values for the sources to determine if the cached response is valid, wherein the comparison is made without rebuilding the response." **(e.g., see paragraph 10 in page 1; paragraph 140 in page 8).** *However, Chamberlain does not expressly teach:* "wherein the entity tag identifies the sources ... and time values associated with the set of dependencies; returning and caching the response and the entity tag on the client;"

Presley teaches: "wherein the entity tag identifies the sources ... and time values associated with the set of dependencies; " **(e.g., see paragraph 50 in page 4;**

paragraph 63 in page 4 to page 5) *for generating XML doclet tags and attributes to allow resources (e.g., dependencies) be defined.*

Chess teaches: "returning and caching the response and the entity tag on the client;" **(e.g., see paragraph 136 in page 8; Fig. 6).** *For example the response is delivered or returned to the user or client. The motivation for combining the teaching of Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.*

12. In regard to claims 14, 24, and 32 Chamberlain teaches:

"wherein the time values comprise a database design time value and a data time value." **(e.g., see abstract; paragraph 48 in page 4).** *For example the parts include data and database design each with time attributes (e.g., modified time).*

13. In regard to claim 17 Chess teaches:

"wherein the returning and caching step comprises: encoding the entity tag;" ***(e.g., see paragraph 33 in page 3).***

"and returning the entity tag to the client in a header accompanying the response." **(e.g., see paragraph 38 in page 3).** *For example cookie or entity tag is included in response header. The motivation for combining the teaching of Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.*

14. In regard to claim 18 Chamberlain teaches:

"A system **(e.g., see paragraph 35 in page 3; Fig. 4)** for validating **(e.g., see paragraph 51 in page 5; Validity Analyzer 315 in Fig. 4)** remotely cached dynamic content web pages **(e.g., see paragraph 16 in page 2)**, comprising: a tag generator for generating an entity tag **(e.g., see paragraph 50 in page 4 to 5)** for a response to a client request for a dynamic content web page **(e.g., see paragraph 48 in page 4; claim 1 in page 9)**, wherein the entity tag ... includes cacheability flags **(e.g., see paragraph 53 in page 5)** corresponding to a cacheability of the response and time values associated with a set of dependencies on the sources," **(e.g., see paragraph 14 in page 2; paragraph 48 in page 4; paragraphs 127-128 in page 7; claims 1 and 4 in page 9).** *Chamberlain teaches that the parts have associated attributes including the modified date. The cacheability analyzer examines the attribute composite and creates or generates caching strategy flags which are used by the system for caching. The strategy flags are generated based on cacheability and performs the function of entity tag recited in the claim.*

"and a tag analyzer for analyzing the entity tag **(e.g., Validity Analyzer 315 in Fig. 4)** when received from the client with a subsequent request for the dynamic content web page to determine if the cached response is valid **(e.g., see paragraph 48 in page 4; claim 1 in page 9),** wherein the cached response is valid if the time values within the entity tag match corresponding time values for the sources, and wherein the tag analyzer analyses the entity tag without rebuilding the response." **(e.g., see paragraph 10 in page 1; paragraph 140 in page 8).** *However, Chamberlain does not expressly*

teach: "wherein the entity tag identifies sources of dynamic content in the response ..., wherein the entity tag identifies sources of dynamic content in the response ..."

Presley teaches: "wherein the entity tag identifies sources of dynamic content in the response ...," **(e.g., see paragraph 50 in page 4; paragraph 63 in page 4 to page 5)** *for generating XML doclet tags and attributes to allow resources (e.g., dependencies) be defined.*

Chess teaches: "wherein the response and the entity tag are cached on the client;" **(e.g., see paragraphs 10-11 in page 1)** *for server to send respond, including cookies and content, to be cached at the client. The motivation for combining the teaching of Chess and Presley with Chamberlain based on the same rational given in rejection of claim 1.*

15. In regard to claim 27 Chamberlain teaches:

"wherein the cached response is valid if the time values within the entity tag match corresponding time values for the sources." **(e.g., see paragraph 48 in page 4).** *For example the request is compared or examined against previously cached request and the response is valid if there is no changed compared to the previously cached request.*

16. In regard to claim 20 Chess teaches:

"wherein a "Not Modified" status code is sent to the client if the cached response is valid." **(e.g., see paragraph 9 in page 1).** *The motivation for combining the teaching of*

Chess with Presley and Chamberlain based on the same rational given in rejection of claim 1.

17. In regard to claims 21 and 29 Chamberlain teaches:

"wherein a new response is generated and sent to the client with a new entity tag if the cached response is not valid." **(e.g., see paragraph 127 in page 7).** *For example the flags are sent to the user (e.g., client).*

18. In regard to claim 22 Chamberlain teaches:

"a cacheability analyzer **(e.g., Cacheability analyzer 309 in Fig. 4)** for determining the cacheability of the response **(e.g., see paragraph 16 in page 2 to 3)**, and for generating the cacheability flags;" **(e.g., see paragraph 53 in page 5).**

"and a response builder for generating the response." **(e.g., see paragraph 53 in page 5).**

19. In regard to claim 26 Chamberlain teaches:

"A program product stored on a recordable medium **(e.g., see paragraph 144 in page 9; Fig. 2)** for validating **(e.g., see paragraph 51 in page 5; Validity Analyzer 315 in Fig. 4)** remotely cached dynamic content web pages **(e.g., see paragraph 16 in page 2)**, which when executed **(e.g., see paragraph 34 in page 3)**, comprises: program code for generating an entity tag **(e.g., see paragraph 50 in page 4 to 5)** for a response to a client request for a dynamic content web page **(e.g., see paragraph 48 in page 4; claim 1 in page 9)**, wherein the entity tag ... includes cacheability flags **(e.g., see**

paragraph 53 in page 5) corresponding to a cacheability of the response and time values associated with a set of dependencies on the sources," **(e.g., see paragraph 14 in page 2; paragraph 48 in page 4; paragraphs 127-128 in page 7; claims 1 and 4 in page 9).** *Chamberlain teaches that the parts or sources have associated attributes including the modified date. The cacheability analyzer examines the attribute composite and creates or generates caching strategy flags based on the attributes, which are used by the system for caching. The strategy flags are generated based on cacheability and performs the function of entity tag recited in the claim.*

"and program code for analyzing the entity tag **(e.g., see paragraph 48 in page 4; Validity Analyzer 315 in Fig. 4)** when received from the client with a subsequent request for the dynamic content web page to determine if the cached response is valid." **(e.g., see paragraph 48 in page 4; claim 1 in page 9).** *However, Chamberlain does not expressly teach:* "wherein the entity tag identifies the sources of dynamic content..., wherein the response and the entity tag are cached on the client; program code for sending a status code to the client if the cached response is valid."

Presley teaches: "wherein the entity tag identifies the sources of dynamic content...," **(e.g., see paragraph 50 in page 4; paragraph 63 in page 4 to page 5)** *for generating XML doclet tags and attributes to allow resources (e.g., dependencies) to be defined.*

Chess teaches: "wherein the response and the entity tag are cached on the client;" **(e.g., see paragraphs 10-11 in page 1)** *for server to send respond, including cookies and content, to be cached at the client.*

"program code for sending a status code to the client if the cached response is valid." **(e.g., see paragraph 9 in page 1)** *for server sending a response code to client indicating the page has not been modified (e.g., is valid). The motivation for combining the teaching of Chess and Presley with Chamberlain based on the same rational given in rejection of claim 1.*

20. In regard to claim 30 Chamberlain teaches:

"program code for determining the cacheability of the response **(e.g., see paragraph 48 in page 4; paragraph 53 in page 5)**, and for generating the cacheability flags;" **(e.g., see paragraph 53 in page 5).**

"and program code for generating the response." **(e.g., see paragraph 16 in page 2 to 3).** *For example server builds responses based on the client or user requests.*

Response to Remarks

The rejection under 35 U.S.C. 101 is withdrawn with this Office Action. The Applicant's arguments regarding rejection under 35 U.S.C. 112, 2nd paragraph is not persuasive. Therefore, the Examiner maintains the 112 rejections.

In regard to 112 rejections, the Examiner response is the similar to the response presented in the last Office Action dated 8/6/06. Determining the validity of cache

content is not the same as validating the cache content as seems the Applicant argues. In regard to prior art rejection the Examiner believes that Chamberlain expressly and/or inherently anticipates or suggests the claimed invention. However, to overcome the Applicant's argument and more closely meet the claim language, the Examiner has used the disclosure by Presley, which teaches the limitations of "...entity tag to identify the sources and time value..." *as has been described in the rejection of claim 1.*

Conclusion

Any inquiry concerning this communication should be directed to Hashem Farrokh whose telephone number is (571) 272-4193. The examiner can normally be reached Monday-Friday from ***8:00 AM to 5:00 PM.***

If attempt to reach the above noted Examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Donald A Sparks, can be reached on (571) 272-4201. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBS) at 866-217-9197 (toll-free).

~~HF~~

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2007-06-28

Brian R. Peugh
Primary Examiner
7/2/07